



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1761

Applicant: SWART ET AL.
Serial No.: 10/043,827
Filed: JANUARY 11, 2002
Confirmation No.: 7890
Due Date: JUNE 6, 2003
Title: METHOD AND SYSTEM FOR REDUCING MICROBIAL BURDEN ON A FOOD PRODUCT

Examiner: UNKNOWN
Group Art Unit: 1761
Docket: 163.1386USU

RECEIVED
MAY 20 2003
GROUP 1761

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 16, 2003.

By: Sheryl A. Bderboom
Name: Sheryl A. Bderboom

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Supplemental Information Disclosure Statement, Form 1449, 7 References, Copy of International Search Report
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
612.332.5300

By: Mark T. Skoog
Name: Mark T. Skoog
Reg. No.: 40,178
MSkoog:sab





10/043,827

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	SWART ET AL.	Examiner:	UNKNOWN
Serial No.:	10/043,827	Group Art Unit:	1761
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By: Sheryl A. Boerboom
Name: Sheryl A. Boerboom

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. At least some of the references were recently cited in an International Search Report mailed May 6, 2003.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided. Enclosed for the Examiner's information is a copy of the International Search Report. Applicants note references 3,057,735, AU 1,129,746, and EP 0 985 349 A2 also listed in the search report were previously cited to or by the Examiner.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
(612) 332-5300

Date:

May 16, 2003

Mark T. Skoog
Mark T. Skoog
Reg. No. 40,178
MTS:sab



FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 163.1386USU1	Application Number: 10/043,827
	Applicant: SWART ET AL.	
	Filing Date: JANUARY 11, 2002	Group Art Unit: 1761



U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	3,057,735	10/09/1962	OTTKE ET AL.			
	6,010,729	01/04/2000	GUTZMANN ET AL.			

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	1,129,746	10/09/1968	AU				
	0 373 268 A1	06/20/1990	EP				
	0 985 349 A2	03/15/2000	EP				
	0 985 349 A3	08/02/2000	EP				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
		Bayliss, C. et al., "The Combined Effect of Hydrogen Peroxide and Ultraviolet Irradiation on Bacterial Spores", <i>Journal of Applied Bacteriology</i> , 47:263-269 (1979)
		Copy of International Search Report dated May 6, 2003



EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	